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APR 14 2005

**THE WEBB LAW FIRM**

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E-mail: webblaw@webblaw.com

**FACSIMILE INFORMATION SHEET****RESPONSE UNDER 37 C.F.R §1.116  
EXPEDITED PROCEDURE  
GROUP ART UNIT 1617**Name of Individual: MAIL STOP AF  
Commissioner for PatentsCompany: United States Patent and Trademark Office  
City and State: Alexandria, VA

Facsimile Number: 703-872-9306

From: Ann Marie Cannoni, Esquire

Total Number of Pages: 10

Date Transmitted: April 14, 2005

CV01490K US

Client No.: 4686

File No.: 050450

**Message:**

Application No. 10/057,339  
Inventors: Teddy Kosoglou, et al.  
Filed: January 25, 2002  
Title: COMBINATIONS OF STEROL ABSORPTION INHIBITOR(S)  
WITH CARDIOVASCULAR AGENT(S) FOR THE TREATMENT OF VASCULAR  
CONDITIONS

Transmittal Form (1p)  
Fee Transmittal 1p. (2x)  
Notice of Appeal (2pp)(3x)

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PTO/SB/21 (04-04)

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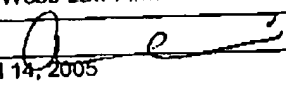
control number.

|   |                      |                        |                          |
|---|----------------------|------------------------|--------------------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 10/057,339             |                          |
|   | Filing Date          | January 25, 2005       |                          |
|   | First Named Inventor | Teddy Kosoglou et al.  |                          |
|   | Art Unit             | 1817                   |                          |
|   | Examiner Name        | Shobha Kantamneni      |                          |
| Total Number of Pages in This Submission  | 9                    | Attorney Docket Number | CV01490KUS - 4686-050450 |

**ENCLOSURES (Check all that apply)**

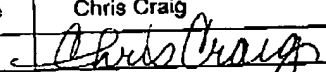
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| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Documents<br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance communication<br>To Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input checked="" type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please<br>Identify below) |
| <b>Remarks</b><br><br>   |  |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                               |   |
|-------------------------------|---|
| Firm<br>or<br>Individual name | Ann Marie Cannoni<br>The Webb Law Firm  |
| Signature                     |  |
| Date                          | April 14, 2005  |

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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|-----------------------|---|------|-----------|
| Typed or printed name | Chris Craig   | Date | 4/14/2005 |
| Signature             |  |      |           |

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818)**FEE TRANSMITTAL  
For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 500.00**Complete if Known**

|                      |                         |
|----------------------|-------------------------|
| Application Number   | 10/057,339              |
| Filing Date          | January 25, 2002        |
| First Named Inventor | Teddy Kosoglou et al.   |
| Examiner Name        | Shobha Kantamneni       |
| Art Unit             | 1617                    |
| Attorney Docket No.  | CV01490K US/4686-050450 |

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 23-0650 Deposit Account Name: The Webb Law Firm

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☒ Under 37 CFR 1.16 and 1.17

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

**2. EXCESS CLAIM FEES**

| Fee Description   | Fee (\$) | Small Entity Fee (\$) |
|---|----------|-----------------------|
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent            | 50       | 25                    |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 200      | 100                   |
|   | 360      | 180                   |

**Multiple dependent claims**

| Total Claims   | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|--|--------------|----------|---------------|---------------------------|----------|---------------|
| - 20 or HP =   | x            | =        |               |                           |          |               |
| HP = highest number of total claims paid for, if greater than 20 |              |          |               |                           |          |               |

| Indep. Claims   | Extra Claims | Fee (\$) | Fee Paid (\$) |
|---|--------------|----------|---------------|
| - 3 or HP =   | x            | =        |               |
| HP = highest number of independent claims paid for, if greater than 3 |              |          |               |

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 =      | / 50 =       | (round up to a whole number) x                   | =        |               |
|              |              |  |          | Fee Paid (\$) |

**4. OTHER FEE(\$)**

Non-English Specification, \$130 fee (no small entity discount) 500.00

Other: Notice of Appeal

**SUBMITTED BY**

|                   |                   |                                   |                |           |              |
|-------------------|-------------------|-----------------------------------|----------------|-----------|--------------|
| Signature         |                   | Registration No. (Attorney/Agent) | 35,972         | Telephone | 412-471-8815 |
| Name (Print/Type) | Ann Marie Cammoni | Date                              | April 14, 2005 |           |              |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| Examiner Name        | Shobha Kantamneni       |
| Art Unit             | 1617                    |
| Attorney Docket No.  | CV01490K US/4686-050450 |

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Under 37 CFR 1.16 and 1.17

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| Provisional      | 200          | 100      | 0            | 0        | 0                | 0        |                |

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

Multiple dependent claims

| Fee (\$) | Fee (\$) |
|----------|----------|
| 50       | 25       |
| 200      | 100      |
| 360      | 180      |

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|----------|---------------|---------------------------|----------|---------------|
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HP = highest number of total claims paid for, if greater than 20

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
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Other: Notice of Appeal

500.00

**SUBMITTED BY**

Signature: 

Name (Print/Type): Ann Marie Cannoni

Registration No. 35,972  
(Attorney/Agent)

Telephone 412-471-8815

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Response Under 37 C.F.R. § 1.116  
Expedited Procedure  
Group Art Unit 1617

APR 14 2005

Application No. 10/057,339  
Paper Dated: April 14, 2005  
Attorney Docket No. CV01490K US/4686-050450

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/057,339  
Inventors : Teddy KOSOGLOU, et al.  
Filed : January 25, 2002  
Title : COMBINATIONS OF STEROL ABSORPTION  
INHIBITOR(S) WITH CARDIOVASCULAR  
AGENT(S) FOR THE TREATMENT OF VASCULAR  
CONDITIONS  
Group Art Unit : 1617  
Examiner : Shobha Kantamneni  
Customer No. : 28289

FACSMILE NO. 703-872-9306  
Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences  
from the decision dated January 27, 2004 of the Primary Examiner finally rejecting claims 1,  
3, 22, 23, 33, 34, 43-46 and 49.

I hereby certify that this correspondence is being sent via facsimile to:  
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04/14/2005  
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Typed Name of Person Signing Certificate

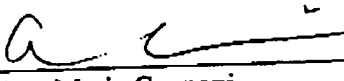
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Respectfully submitted,

THE WEBB LAW FIRM

By   
Ann Marie Cannoni  
Attorney for Applicant  
Registration No. 35,972  
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436 Seventh Avenue  
Pittsburgh, PA 15219-1818  
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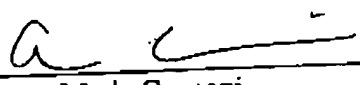
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